

September 27, 2016

MILLERSVILLE BOROUGH COUNCIL MEETING MINUTES

The MILLERSVILLE BOROUGH COUNCIL MEETING was held on Tuesday, September 27, 2016 in the Millersville Borough Public Meeting Room located at 100 Municipal Drive, Millersville, Pennsylvania.

The meeting was called to order at 7:00 p.m. by Council President, Michael C. Kirkham followed by the pledge to the flag and a moment of silence was observed.

COUNCIL MEMBERS

Michael C. Kirkham
Philip A. Lastowski
Lynn M. Miller
David T. Aichele

Richard M. Moriarty, Mayor
Marilyn W. Sachs (absent)
Scott A. Bailey
Daniel P. Ostrowski

OTHERS PRESENT

Edward J. Arnold, Millersville Borough Manager
John D. Rochat, Millersville Borough Chief of Police
Jessie L. Ebersole, Millersville Borough Finance Officer
Andrew M. Boxleitner, Street Department Superintendent
Duane E. Hagelgans, Blue Rock Regional Fire Commissioner
Steven A. DiGuseppe, Millersville University
Sam Bigler, 17 Wabank Road, Millersville
James A. Kirk, 436 Herr Avenue, Millersville
Elaine Jones, LNP
John "Jack" Herr, John Herr's Village Market, Millersville
Bob Hershock, 58 Quaker Hills Rd, Lancaster
Sarah Barnes, Millersville University Mini-Thon 5K Run
Robert McLane, 206 Manor Ave., Millersville

PUBLIC HEARING FOR CONSIDERATION OF LOCAL ECONOMIC REVITALIZATION TAX ACT (LERTA) ZONE

President Kirkham opened the public hearing and asked Mr. Arnold to provide the opening comments and give the presentation. Mr. Arnold started by explaining the establishment of the Downtown District and the inclusion of the tracts of land, six properties, that will be the designated area for this Local Economic Revitalization Tax Act (LERTA) Zone. The LERTA program will offer incentive to improve this zone by allowing the amount of the additional assessed valuation attributable to the actual cost of improvements to the properties to be exempt over a graduated table. In the Borough's proposed LERTA ordinance, that table is 10% per year over 10 years. Mr. Arnold provided an example of a \$100,000 assessed value addition. The first year 100% of the \$100,000 would be tax exempt. The second year 90% of the \$100,000 would be tax exempt. The third year 80% of the \$100,000 would be tax exempt, etc. He noted that the original property assessment and taxation does not change, it's only the additional increased value that will be exempt over the ten year period. He went on to explain that typically the Borough,

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the County, and the School District all become a part of this LERTA program. Favorable discussions have been made with the Penn Manor School Board and the County. Those entities will wait to take official action until the Borough passes the proposed ordinance. He further noted that there is an application for exemption that will be required and that the application for exemption must be filed within five years from the effective date of the LERTA ordinance. After the five years the Borough, School District and County must re-consider a continuance of the program. At that time the Borough may wish to open the program to other areas of the Borough. Mr. Arnold stated that this public hearing is to gather information from the public and ask if there are any questions on how the LERTA program is going to work.

Mr. Robert McLane of 206 Manor Avenue stated his concern for the potential traffic issues that may occur if that area is developed. Mr. Arnold explained that any development in that area will need to satisfy all traffic concerns, including PennDOT's requirements.

Mr. Bailey asked how the exemption (after the application is accepted) is put into place with the three different taxing authorities. Mr. Arnold explained that the approved application will go to the School District and County Assessment Office for when the re-assessment is complete and that the County Assessment Office will prepare the proper billing and tracking of the graduated table.

President Kirkham asked if there were any further comments. Hearing none, President Kirkham closed the public hearing at 7:14 p.m. and re-opened the regular Borough Council meeting.

CITIZEN'S REQUESTS OR CONCERNS

Mr. Bob Hershock from 58 Quaker Hills Road commented on the quality of the Borough's free leaf bags. The bags over the years appear to be getting thinner and therefore tearing more easily. The Borough Manager will look into the thin quality with the provider.

Mr. McLane stated his concern of being charged utility services for his rental property of which he has not rented since February. He lives very frugal due to his limited income. Mr. Arnold replied that Mr. McLane's request was initially taken by the Planning and Betterment Committee and at that time the Committee was not in agreement with the request. Mr. Bailey explained the Committee's conclusion. He re-phased that Mr. McLane has a portion of his home which was rented and is now not rented. It was determined that it is still a rental property but he has not been able to fill the rental vacancy. Mr. Bailey continued to state that he has the option to change the property back, to reverse the modifications necessary for rental conditions.

MINUTES

A motion to approve the minutes for the July 26, 2016 Council Meeting was made by Mr. Lastowski and seconded by Mr. Ostrowski. With no discussions the motion passed by a unanimous voice vote, with Mrs. Miller abstained due to her absence.

A motion to approve the minutes for the August 23, 2016 Council Meeting was made by Mr. Ostrowski and seconded by Mrs. Miller. With no discussions the motion passed by a unanimous voice vote, with Mr. Kirkham abstained due to his absence.

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REPORTS OF COMMITTEES OR BOARDS

Mr. Duane Hagelgans, Blue Rock Regional Fire Commissioner gave a presentation on the proposed 2017 Budget for the Fire District. In his summary he mentioned that although the total budget remains the same at \$967,705 for last few years; costs have increased for insurance, vehicle maintenance and station maintenance. Outstanding loans continue to be paid down, currently there are three loans at approximately \$200,000 and the surplus for 2016 may pay off another loan. Due to the early payoff of debt, the 2017 budget can reflect another increase to the Capital Expenditures account. Currently the Capital account has a fund balance of approximately \$800,000. There are two major capital purchases in the coming years; all the breathing apparatus will be at their life expectancy and will need to be replaced at about \$75,000. Mr. Hagelgans noted there may be some grant potential for the apparatus and in 2018 they may have their first engine replacement.

President Kirkham thanked him for the annual report and the excellent job he continues to do year after year. He asked to extend a special thanks to all the volunteers and their families.

MAYOR'S REPORT

Mayor Moriarty mentioned that he has been mentoring the Penn Manor High School politics club for three years. The club has grown from eight to thirty-two members. Coming up is a planned mock debate.

Mayor Moriarty took a moment to recognize the presence of Mr. Jack Herr, owner and operator of John Herr's Village Market and stated the pleasure to see him. He thanked him for all he has done for the community over many years.

Mayor noted complaints he has received that the Borough is not monitoring the Borough's ordinances. There are multiple properties in the Borough with various property code violations. He has reported some properties to Mike Tuscan, Code Enforcement Officer for follow-up.

Chief Rochat made a comment on the monthly report, that an arrest has been made for the counterfeit currency being circulated in the Borough. He further commented that the monthly report reflects school is back in full swing.

MILLERSVILLE UNIVERSITY REPORT

Mr. DiGuseppe announced several upcoming events, of which he noted can be found on the new calendar on Millersville University's website. Specifically he noted homecoming weekend will be October 20th through October 22nd and the weekend events will have a golf outing, class and affinity reunions, athletic hall of fame induction, athletic competition, the Millersville Community Parade, campus tours, student tents and concessions and so much more. He further stated that on October 27th the 13th District Senatorial debate will be held in Gordinier's Lehr room starting at 7 PM. Mr. DiGuseppe mentioned the faculty and coaches (APSCUF) may possibly go on strike right before homecoming weekend; he anticipates all events will proceed as planned. He went on to mention MU opened with 7954 students and that the freshmen class profile is stronger academically with an average SAT of 1031 vs. 1008 last year. He stated the demolition of Gage Hall is almost completed and that new grass, walkways and benches are planned for that area. MU has again been named one of the safest college towns in the US according to The Safe Wise report.

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He announced the Millersville Community Parade is set for Saturday, October 22, starting at 9 AM with 25 bands and that Catherine "Kitty" Glass has been named Grand Marshal. Kitty is a Millersville resident and has been active with several Borough initiatives, including the 250th Anniversary and the Veterans Memorial, serving on the parade committee for 20 years, serving on numerous local charitable organization boards, and volunteers with entities including the Millersville Meals on Wheels Program, the Fulton Theatre, Student Services, Inc., the Millersville University Alumni Association, and the Friends of Ganser Library. He also gave thanks in advance to the police, fire rescue and street personnel for all their help in executing this 20th Annual Parade. Lastly he announced the MU Student Advisor position to the Borough Council is now posted internally, with an October 28th deadline to submit applications.

PENN MANOR HIGH SCHOOL REPORT

None

FINANCE COMMITTEE REPORT

Mr. Lastowski made a motion to approve the Local Economic Revitalization Tax Act (LERTA) ordinance. Mr. Ostrowski seconded the motion. With no further discussions the motion passed by a unanimous roll call vote.

ORDINANCE BOOK
ORDINANCE NO. 2016-08

Mr. Lastowski made a motion out of committee to approve the ordinance amendment to Chapter 305, Sewers and Chapter 310, Solid Waste, to impose certain costs of collection on delinquent accounts. With no discussions the motion passed by a unanimous voice vote.

ORDINANCE BOOK
ORDINANCE NO. 2016-09

Mr. Lastowski made a motion out of committee to accept the July, 2016 Financial Reports as presented to the committee by Borough Manager, Edward J. Arnold. With no discussions the motion passed by a unanimous voice vote.

Mr. Lastowski made a motion out of committee to accept the August, 2016 Financial Reports as presented to the committee by Borough Manager, Edward J. Arnold. With no discussions the motion passed by a unanimous voice vote.

Mr. Lastowski made a motion out of committee to approve the budget adjustment to the General Capital Reserve Fund in the amount of \$20,000 for additional work on Leaman Avenue and another adjustment to the Sewer Capital Reserve Fund for \$87,000 of additional work for the Crossgates Storm Sewer Main project. With no discussions the motion passed by a unanimous voice vote.

Mr. Lastowski made a motion to accept the Borough's 2017 Minimum Municipal Obligation for the Police Pension Plan in the amount of \$269,864. Mr. Aichele seconded the motion. With no discussions the motion passed by a unanimous voice vote.

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Mr. Lastowski made a motion to accept the Borough's 2017 Minimum Municipal Obligation for the Non Uniform Pension Plan in the amount of \$95,731. Mr. Aichele seconded the motion. With no further discussions the motion passed by a unanimous voice vote.

Mr. Lastowski made a motion to approve the 2017 Blue Rock Regional Fire District budget as presented to Council by Fire Commissioner, Duane Hagelgans. Mr. Ostrowski seconded the motion. With no discussions the motion passed by a unanimous voice vote.

Mr. Bailey questioned the choice of Committee for four of the items (above) and stated that although they have financial implications, should not avoid the Borough's Committees structure. For instance, he believes that the ordinance amendment to Chapter 305, Sewers and Chapter 310, Solid Waste, to impose certain costs of collection on delinquent accounts should have gone through the Wastewater Committee and that the Blue Rock Regional Fire District budget should have gone through the Safety Committee.

WASTE WATER COMMITTEE REPORT

Mrs. Miller made a motion to ratify the approval of the Agreement Providing for Grant of Drainage Easement with Murry Development Corporation. Mr. Ostrowski seconded the motion. With no discussions the motion passed by a unanimous voice vote.

Mrs. Miller made a motion to award the bid for the Crossgates Pump Station Stormwater Improvements to Flyway Excavating Inc. in the amount of \$121,800. Mr. Ostrowski seconded the motion. It was noted that Farhat Excavating, LLC. was the lowest bidder, however they did not qualify due to their bid documents. With no further discussions the motion passed by a unanimous voice vote.

PLANNING AND BETTERMENT COMMITTEE REPORT

Mr. Bailey made a motion out of committee to have a strong letter sent to the hauler requesting all trash cans and recycling containers be placed off streets and off sidewalks where ever possible. Mr. Aichele asked that the letter include not setting the cans in the driveways so that the homeowner has to stop in the middle of the street, get out and move the cans, to pull into their driveways. With no further discussions the motion passed by a unanimous voice vote.

STREET COMMITTEE REPORT

Mr. Aichele made a motion out of committee to approve the use of public streets for the Girls on the Run 5K walk/run on Saturday, November 12th starting at 9 AM. It was noted that the organization is hiring Flagger Force to help with traffic control in the areas that could potentially cause traffic/safety concerns. With no further discussions the motion passed by a unanimous voice vote.

Mr. Aichele made a motion out of committee to ratify the street closure of Manor View Drive for the Block Party that was held on Sunday, September 18th. It was requested that group ask for approval earlier next year. With no discussions the motion passed by a unanimous voice vote.

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Mr. Aichele reflected communications to-date with the group requesting the use of public streets for the MU Mini Thon 5K Run/Walk and the concerns for the route being requested, specifically the part that flows into Manor Township. The group was asked to change the Borough's recommended route due to Penn Manor High School hosting SAT's on the day of the race. An alternative preferred route was provided by the Police Chief; however the group is not requesting that route at this time. Mr. Aichele made a motion to approve the use of public streets for the Mini Thon 5K Run/Walk with the group's requested route contingent on receiving written approval from Manor Township by Friday, September 30th. Mr. Ostrowski seconded the motion. With no further discussions the motion passed by a unanimous voice vote.

Mr. Aichele stated the Committee approved the reconstruction of Heisey Avenue materials to use the option with the Geo-Grid Mesh.

Mr. Aichele mentioned that the Committee reconsidered the previous motion for trash pickup on Heisey Avenue and made a motion out of committee to allow trash pickup to remain at the rear of the properties after the reconstruction of Heisey Avenue is complete. With no discussions the motion passed by a unanimous voice vote.

Mr. Boxleitner reported on the annual MS4 (Municipal Separate Storm Sewer Systems) for the period July, 2015 through August, 2016. He noted they have inspected 25% of the outfalls and 100% of our priority outfalls for illicit discharge; this includes public and private outfalls. He went on to note it is a requirement to have a public and employee education program. The pamphlets and literature circulated to Council are used to educate the public. This information is posted on the website and is incorporated in the teaching program at the Penn Manor High School. It is also provided to the Eshleman Elementary, Millersville University and is included with our residential permits. He went on to mention the Borough's Office employees are continually educated on how to handle citizen's complaints through the collection of information on a newly provided form. Last year the Borough did an entire staff training on stormwater management plan through a presentation assisted by our engineering firm, RAV. Mr. Boxleitner noted the start of a stenciling project of all Borough inlets and further noted that there was no public participation. He admits that he has a challenge with performing some public participation projects due to the safety of those volunteering. He also noted some spring cleanup was performed with his staff and MU staff on our little section of the Conestoga River. Surprisingly it wasn't as bad as he thought it would be. They will continue to do spring cleanup at least once a year. As far as citizen's complaints, last year they had two complaints and one that went to the Lancaster County Conservation District. Of those three complaints, there was no enforcement action needed. There was no eliciting discharge from our end and no fines from the Conservation District. He mentioned this coming year with the new permit, we will be required to reduce pollutions and settlements by 10%. This will be difficult in the Borough due to the lack of new construction projects.

President Kirkham thanked Mr. Boxleitner for his annual report and commented, "keep up the good work".

SAFETY COMMITTEE REPORT

None

PERSONNEL COMMITTEE REPORT

None

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PRESIDENT'S REPORT

President Kirkham commented that it was good to be back in action and thanked everyone for their thoughts and prayers during his recovery.

BOROUGH MANAGER REPORT

Mr. Arnold mentioned the Borough received \$18,388 in grant money from PEMA for snow storm Jonas. The amount represents 75% of the Borough's actual expenses.

Mr. Arnold mentioned the quarterly Lancaster County Boroughs' Association meeting will be Wednesday, September 28th at the Manheim Historical Society Train Station. The County's Director of Property Assessment will be giving a presentation on the upcoming Countywide reassessment.

Mr. Arnold asked for Council's consideration to appoint him as the Borough's voting delegate at the PML Annual Business meeting and Resolutions Committee meeting of the Pennsylvania Municipal League 117th Annual Summit being held October 4-6, 2016. Mr. Ostrowski made such a motion, seconded by Mr. Aichele. With no discussions the motion passed by a unanimous voice vote.

Mr. Arnold mentioned the work beginning on Shenks Lane for the Creek Drive Force Main extension line project may have temporary road closures. The Borough will provide notices as necessary.

EXECUTIVE SESSION

None

ADJOURNMENT

There being no further business to discuss, Mr. Lastowski made a motion to adjourn the meeting at 9:03 p.m., seconded by Mr. Aichele.

Respectfully submitted,



Edward J. Arnold
Borough Secretary

EJA/jle